

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.

05 JUN 23 PM 4:30

ROBERT R. DI TROLIO
CLERK OF U.S. DIST. CT.
W.D. OF TN-JACKSON

UNITED STATES OF AMERICA
upon the relation and
for the use of the
TENNESSEE VALLEY AUTHORITY
Plaintiff

v.

No. 1-04-1317-T/AN

AN EASEMENT AND RIGHT-OF-
WAY OVER 1.85 ACRE OF LAND,
MORE OR LESS, IN HARDIN
COUNTY, TENNESSEE

EDNA E. WHITE
LEVA M. WHITE
VIRGINIA WHITE HARDIMAN
BETTY WHITE WRIGHT
JOHNNY F. WHITE
PAULINE WHITE NEWMAN
LAWRENCE A. WHITE
BOYD WHITE
Defendants

JUDGMENT AND ORDER DISBURSING FUNDS

This action came on to be considered, and it appears to the Court, as evidenced by the signature of Plaintiff's counsel below and by the stipulations of the Defendants filed herein, that the parties have agreed to resolve this action as hereinafter provided.

It is, therefore, Ordered and Adjudged that:

1. The Defendants shall recover of the Plaintiff \$7,326 as full compensation for the taking of the easement and right-of-way herein condemned, which amount has been deposited by the Plaintiff with the registry of this Court in this action.

2. The vesting of title in the United States of America, free of all liens, claims, and encumbrances, as evidenced by the Declaration of Taking filed herein on December 3, 2004, is hereby fully and finally confirmed with respect to the easement and right-of-way described in Exhibit A attached hereto and made a part hereof (said description being the same as in Exhibit A attached to the Complaint and Declaration of Taking filed herein).

3. Based on the representation of (a) Defendant Johnny F. White by letter filed herein dated December 10, 2004, and (b) Plaintiff through the signature of its counsel below, the John White referred to in the IRS tax lien described in paragraph 6 and Exhibit B of the Complaint is not Defendant Johnny F. White. Said IRS lien thus does not apply to the distribution of funds to said Defendant provided for in paragraph 5 below.

4. The Clerk of this Court is authorized and directed to draw eight checks on the funds on deposit in the registry of this Court in the total amount of \$7,326 and to mail said checks as provided below:

<u>Payee</u>	<u>Amount</u>	<u>Mailing Address</u>
Edna E. White	\$915.75	P.O. Box 512 Savannah, Tennessee 38372
Leva M. White	\$915.75	839 West Alabama Street Florence, Alabama 35630
Virginia White Hardiman	\$915.75	213 Shoals Boulevard Florence, Alabama 35630
Betty White Wright	\$915.75	300 Grandview Drive Lawrenceburg, Tennessee 38464
Johnny F. White	\$915.75	1255 County Home Road Savannah, Tennessee 38372
Pauline White Newman	\$915.75	106 Delaune Avenue Schriever, Louisiana 70395
Lawrence A. White	\$915.75	903 West White Tail Drive Granbury, Texas 76048
Boyd White	\$915.75	55584 Apple Road North Osceola, Indiana 46561

6. The Clerk of this Court shall furnish to the Plaintiff a certified copy of this Judgment and Order Disbursing Funds which shall serve as a muniment of title.

This 23rd day of June, 2005.

James D. Todd
United States District Judge

Approved:

Edwin W. Small
Edwin W. Small
Assistant General Counsel
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, Tennessee 37901-1401
Tennessee BPR No. 012347
Telephone 865-632-3021
Facsimile 865-632-6718

Attorney for Plaintiff

003735254

A permanent easement and right-of-way, consisting of the perpetual right to enter and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, in, on, over, and across said right-of-way, together with the right to clear said right-of-way and keep the same clear of all trees, brush, buildings, signboards, billboards, and fire hazards, to destroy or otherwise dispose of such trees and brush, and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five feet of any transmission line structure or conductor located thereon, the Plaintiff to remain liable for any direct physical damage to the land, annual crops, fences, and roads resulting directly from the operations of the construction and maintenance forces of Plaintiff in and about the erection and maintenance thereof, all upon, under, over, and across the following-described land:

TRACT NO. PSTES-8

A strip of land located in the Fourth Civil District of Hardin County, State of Tennessee, as shown on a map entitled "Pickwick-Savannah (East) Transmission Line Tap to East Savannah," drawing LW-5386, sheet 6B, R.0, the portion of said map which shows said strip of land being attached to the Declaration of Taking filed herein, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location, the centerline of the location and the end boundaries of said strip of land being more particularly described as follows:

Beginning at a point where the centerline of the transmission line location crosses the west property line of the land of Edna E. White, et al., and the east property line of the land of Jerry Williams, et ux., at survey station 124+43.40, said point being N. 21° 44' 33" W., 95 feet from an iron pin property corner common between the lands of Edna E. White, et al., and Jerry Williams, et ux., said strip being bound on the west end by said property line; thence leaving said point and with the centerline of the said location N. 81° 47' 10" E., 804.70 feet to a point, said point being in the east fenced property line of the land of Edna E. White, et al., and in the west fenced property line of the land of Willard Bevis, Jr. et ux., at survey station 132+48.10, said point being N. 9° 28' 57" E., 178 feet from a property corner common between the lands of Edna E. White, et al., and Willard Bevis, Jr., et ux., said strip being bound on the east end by said fenced property line.

The above-described strip of land includes the centerline of the transmission line location for a net distance of 804.70 feet and contains 1.85 acre, more or less.

Recording Information: Defendants/landowners as of the date of the filing of the Declaration of Taking — Edna E. White, Leva M. White, Virginia White Hardiman, Betty White Wright, Johnny F. White, Pauline White Newman, and Lawrence A. White (an undivided 15/112 interest each — Deed Book 106, page 218, intestate succession from their father, P. E. White, and Will Book 7, page 119), and Boyd White (an undivided 7/112 interest — said deed and intestate succession from his father, P. E. White). Tax map 90, parcel 100.



Notice of Distribution

This notice confirms a copy of the document docketed as number 25 in case 1:04-CV-01317 was distributed by fax, mail, or direct printing on June 27, 2005 to the parties listed.

Philip J Pfeifer
TENNESSEE VALLEY AUTHORITY
400 W. Summit Hill Dr.
Knoxville, TN 37902--140

Johnny F. White
1255 County Home Rd.
Savannah, TN 38372

Edwin W. Small
TENNESSEE VALLEY AUTHORITY
400 W. Summit Hill Dr.
Knoxville, TN 37902--140

Honorable James Todd
US DISTRICT COURT